



Department of Justice

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FOR IMMEDIATE RELEASE

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ELLETTSVILLE GUN STORE RAIDED, WEAPONS SEIZED, OWNER ARRESTED

United States Attorney's Violent Crime Initiative Continues

Second Gun Store Closed in the Past Three Months

PRESS RELEASE

INDIANAPOLIS - United States Attorney Joseph H. Hogsett revealed today that, in June 2010, the Monroe County Sheriff's Department received preliminary information that an Ellettsville gun shop, and specifically, its owner, Donald Mullendore, 61, might be selling firearms in violation of federal law. An investigation was initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives in January of 2011 and, subsequently, an arrest warrant was obtained for Mullendore and a federal search warrant was issued.

Hogsett announced that this morning both warrants were executed. Mullendore was arrested and charged with selling firearms to a convicted felon and unlawfully selling a machine gun. ATF agents seized the store's entire inventory of firearms and ammunition. The store has been closed. All of these efforts are in furtherance of the United States Attorney's Violent Crime Initiative and the Office's effort to rid the streets of illegal weapons.

Between January and July of this year, undercover officers and a confidential informant (CI) purchased seven firearms from Mullendore at Mullendore Guns. At no time prior to selling any of the seven firearms did Mullendore require undercover officers or the CI to fill out the necessary paperwork for the legal purchase of a firearm, nor did Mullendore conduct the required criminal history background check before completing the transactions. Four of the firearms were sold directly to the CI after Mullendore was told the CI was a convicted felon. One of the four guns sold to the CI was an unregistered, fully automatic, Cobray, 9mm machine gun.

During a conversation with the CI about purchasing a machine gun, Mullendore is alleged to have said that he (Mullendore) did not believe in paperwork because "all you are doing is

telling the government where you got your guns.” Mullendore went on to assert that “I destroyed all my paper and I just don’t care, I’m going to give people the guns they need. This is God’s shop and what he [God] wants to do with it is going to happen.” (Alexander Affidavit, Complaint, p. 10).

In a later trip to Mullendore Guns, it is alleged that Mullendore went into his safe and retrieved a Cobray, 9mm, machine gun. The CI informed Mullendore that he had been convicted of a felony for battery. Mullendore sold him the machine gun anyway. While Mullendore was counting the money for the purchase of the machine gun, Mullendore told the CI “God always gives us (meaning Mullendore Guns) the guns to sell and people who need them.” (Alexander Affidavit, Complaint, p. 11).

When asked if anymore machine guns were available for sale, Mullendore told the CI that he would “check with his guy and see if he could make another one.” Mullendore stated that, “We’ll figure it out one way or another” and continued by saying ‘I think everybody ought to have one’.” (Alexander Affidavit, Complaint, p. 12).

According to Assistant U.S. Attorney Matthew J. Rinka, who is prosecuting the case for the government, Mullendore faces a maximum of ten years in prison and a \$250,000 fine. An initial hearing will be scheduled for in the near future in Indianapolis before a U.S. Magistrate Judge.

A complaint is only a charge and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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